

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

BRUCE WOODS, :  
: Case No. 1:00cv803  
Petitioner, :  
: Judge Spiegel  
vs. :  
: Respondent. :  
ANTHONY BRIGANO, Warden,

**WARDEN BRIGANO'S FIRST SET OF REQUESTS  
FOR PRODUCTION OF DOCUMENTS DIRECTED TO  
PETITIONER WOODS AND THE OHIO PUBLIC DEFENDER**

Respondent Warden Brigano, by and through counsel, hereby request Petitioner, pursuant to Fed. R. Civ. P. 34, to produce to the office of Respondent's counsel, within thirty (30) days of the date of service, true and accurate copies of the following documents.

**I. DEFINITIONS**

1. The terms "you" and "your", when used herein, refer to Petitioner, his agent(s), representative(s), employee(s), or attorney(s) submitting responses to these requests.
2. The term "document", when used herein, means all originals of any nature whatsoever, identical copies, and all non-identical copies thereof, pertaining to any medium upon which intelligence or information is recorded in your possession, custody, or control regardless of where located; including without limiting the generality of the foregoing, punch cards, print-out sheets, movie film, slides, phonograph records, photographs, notes, letters, memoranda, ledgers, work sheets, books, magazines, notebooks, diaries, calendars, appointment books, registers, charts, tables, papers, agreements, contracts, purchase orders, acknowledgments,

invoices, authorizations, budgets, analyses, projections, transcripts, minutes of meetings of any kind correspondence, telegrams, drafts, data processing discs or tapes, and computer produced interpretations thereof, x-rays, instructions, announcements, schedules, price lists, and mechanical or electrical sound recordings and transcripts thereof. In all cases, where originals and/or non-identical copies are not available, document also means identical copies of original documents and copies of non-identical copies.

## **II. INSTRUCTIONS**

For each request, identify the documents produced to satisfy that request by sequential enumeration, title and/or description of the document. If sequential enumeration is used, no two documents produced herein, supplemented or produced in response to additional requests shall possess the same number.

If you refuse to produce a document in whole or in part, describe the basis for your refusal, including any claim of privilege, in sufficient detail to permit the court to adjudicate the validity of your refusal, and identify each document and oral communication for which a privilege is claimed.

Each party answering these requests is under a continuing duty to reasonably supplement his or her responses. Furthermore, each party is under duty to amend a prior response immediately upon learning that the response is incorrect.

### III. REQUESTS FOR DOCUMENTS

1. All documents indicating the date on which Bruce Woods requested representation from the Ohio Public Defender as specifically referenced in Paragraph 12 of Mr. Woods's August 18, 1998 affidavit attached to his Motion for Leave to File a Delayed Appeal that was filed in the Hamilton County Court of Common Pleas on August 28, 1998.

#### **RESPONSE**

2. All documents indicating the date on which the Ohio Public Defender agreed to represent Mr. Woods as specifically referenced on page 4 of Mr. Woods's Motion for Leave to File a Delayed Appeal that was filed in the Hamilton County Court of Common Pleas on August 28, 1998.

#### **RESPONSE**

Respectfully submitted,

JIM PETRO  
Attorney General

s/J. Joseph Bodine, Jr.  
J. JOSEPH BODINE, JR. (0042132)  
Assistant Attorney General  
Corrections Litigation Section  
150 East Gay Street, 16<sup>th</sup> Floor  
Columbus, Ohio 43215  
(614) 644-7233  
Trial Attorney for Respondent

**CERTIFICATE OF SERVICE**

I hereby certify that on March 11<sup>th</sup>, 2004, a copy of the foregoing *Warden Brigano's Request for Production of Documents* was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

s/J. Joseph Bodine, Jr.  
J. Joseph Bodine, Jr.  
Assistant Attorney General